

### Remarks

The present Amendment is filed in response to the Final Office Action mailed on July 16, 2003.

The Examiner will note that the independent claims have been amended in order to introduce language that clarifies the subject-matter of the claims.

It is worth keeping in mind that the goal of the present invention is to permit electronically created documents to be approved in parallel, i.e. at the same time by different users, or by users that are in different geographical locations at a contemporary time. This is an important aspect since it benefits greatly organizations that have established rules and procedures for the approval of paper documents, in order to enable them to move from a paper-based environment to an electronic environment.

Bearing this in mind, claim 1 has been amended to clarify sub-step (C)(iii) by specifying that the sub-step of the user approving the electronic document is performed by generating approval information. This is an external, positive act that the user performs in order to actually approve the document. This is akin to the user signing the document. The applicant stresses the point that it is a positive act, since this feature, among others clearly distinguishes the present invention from U.S. Patent No. 5,673,320 to Ray et al (hereinafter "Ray").

Similar modifications have been made to independent claims 13, 21, 33 and 40.

Ray's invention is different, and it is respectfully submitted that one skilled in the art would not consider Ray to be a primary reference. Furthermore, it is respectfully submitted that a person skilled in the art would not be led to look beyond Ray in order to go from Ray to the present invention.

Ray is, as the Examiner correctly points out, directed to a method and apparatus for image-based validation of printed documents. In fact, the purpose of Ray, as pointed out in the previous remarks, is to prevent fraud in paper documents (see col. 1, lines 14-56), and see also col. 2, lines 3 and following, where it is stated: "For image-based validation to work with

printed documents such as checks, a method is needed to store readable image information in a printed form.”

The applicant specifically draws the Examiner’s attention to the use of the word “printed.” Ray is concerned with the verification that a printed document is in fact the valid document. There is no suggestion here that Ray is concerned with the parallel approval of an electronic document.

In fact, this distinction becomes clearly apparent when looking at Figure 4 of Ray. In this Figure, the steps of validating the paper document are outlined. The description of Figure 4 starts at col. 6, line 30 and continues to col. 7, line 11.

At step 50, a printed document, such as a book of checks, is requested by a user. At this point, another important distinction between Ray and the present invention can be made. The “user” of Ray is the person bearing the paper document that needs to be validated by, for example, a merchant. In the present invention, the “user” is the person that receives the electronic document and approves the document by positively generating approval information. This approval information is directly linked to the person approving the document, and will eventually serve to identify the approver.

The document with image information and the assigned document identification data is printed at block 52. The printed documents, in this case a book of checks, is made available to the user at block 54.

The user then goes to a document presentation site and presents the document at block 56. The document is then read at block 58.

Then, two separate but distinct processes occur: a visual validation and a data validation. This is normal, since Ray is concerned with validating the document.

Visual validation is explained as follows, at col. 6, lines 43-55:

“The visual validation path proceeds from block 58 to block 60 where the image data is processed into digital image data by

possible decompression. Next, in block 62, the image data is displayed on a display device and viewed. In block 64, the operator compares the image of the authorized document holder now on display with the document presenter. If the operator determines that the image of the authorized holder fails to correspond to the appearance of the document presenter, then an exception process, block 66 is initiated. If the operator determines their (sic.) exists a reasonable correspondence, then the visual validation path is completed and joins with the end of the data validation path at block 68.”

The whole purpose of course of the visual validation is to ascertain that the person bearing the check is the person to whom the check was issued.

Data validation is explained as follows, at col. 6, line 56 to col. 7, line 8:

“The data validation path begins at block 70 with the extraction of portions of the read data from the local data storage 24. In block 72, the processor 26 encodes the data above to produce an IVV. This IVV and at least the document identification data is sent in block 74 to the processor 34 at the document validation authority. In block 76 another IVV is generated from the document identification data received and the retrieved image data of the authorized user from the data storage device 36. The two IVV’s are compared in block 78. If the values do not match, in block 80 an exception handling process is initiated. For example, an exception handling process may consist of sending a non-validation signal to processor 26 at the document presentation site. Another example is for processor 34 to request processor 26 to transmit the image data to processor 34. If the comparison in block 78 yields a match, then a validation signal is sent to processor 26 at the document presentation site as shown in block 68. This terminates the data

validation path. The path now rejoins with the visual validation path in block 68.”

This paragraph teaches away from the present invention in a number of ways.

Firstly, this paragraph is concerned with validation – making sure that the presented paper document is a valid one, as well as making sure, in the previous quoted passage, that the person bearing the document is the right one.

Secondly, there is no teaching, implied or explicit, or even any suggestion, that any entity in this transaction is “approving” the document by the user generating approval information that will eventually form part of an electronic document. The only thing that occurs is a check to see if the two IVV’s are identical. The document validation authority does not modify, change or insert data into the image data. It only returns a code – valid or not.

Thirdly, even if Ray could be shown to concern parallel approval of an electronic document, it would fatally fail. Indeed, if the same check could be somehow presented at two document presentation sites simultaneously (or in parallel), validation of one check would automatically fail, since the same person cannot, as far as applicant knows, be in two separate places at the same time. Applicant has also thoroughly reviewed Ray and has been unable to find a suggestion that the invention of Ray could be used in the context of joint accounts which might attenuate this flaw of Ray.

Consequently, it is respectfully submitted that a person wishing to solve the problem of parallel approvals of electronic documents would not turn to Ray since it would not even begin to teach a solution to the problem. The secondary references cited by the Examiner cannot obviate the fatal flaw of Ray.

The Applicant would also like to respond to one of the Examiner’s conclusions. At paragraph 9 of the Final Office Action, at line 10, the Examiner states: “The limitation ‘making the electronic document available to each user’ is met by units 54 and 56 in Fig. 4, showing that the document is issued and presented to a user.” As seen above, this is

incorrect. Firstly, the document that is presented to the authorized user of Ray is not electronic, it is paper. Secondly, even if an electronic document could be divined from this passage, it is not made available to each user – it is only made available to the single, authorized user of the paper document.

As the Examiner correctly points out, Ray does not explicitly teach storing approval information in a user Approval Data Packet. As mentioned above, this is because Ray is not concerned with approval – Ray is only concerned with validation, which is albeit a part of the present invention in that the DACs of two documents are compared to validate that the correct document is being approved. However, the present invention goes beyond Ray. Nonetheless, since there is no teaching, explicit or implicit, that an electronic document be approved, U.S. Patent No. 5,764,762 to Kazmierczak (hereinafter “Kazmierczak”) cannot fix this deficiency.

The Examiner also states, at page 5 of the Final Office Action, at lines 8-11: “One of ordinary skill in the art would have been motivated to store the approval Data Authentication Code in an Approval Data Packet for creating a flexible system in which a purchaser is granted permission to purchase data on line in real time (see Kazmierczak, abstract).”

This statement does not appear to Applicant to be relevant to the present invention. There is no suggestion in the present invention of making purchases. As stated above, the present invention is directed to the parallel approval by a plurality of users of electronic documents.

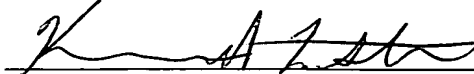
As to the other references cited by the Examiner, none of them including Kazmierczak, can correct the deficiencies of Ray to attain the objects and advantages of the present invention.

In view of the foregoing, Applicant respectfully submits that, contrary to the Examiner’s assertion, independent claims 1, 13, 21, 33 and 40 are not obvious over Ray in view of Kazmierczak. In addition, Applicant submits that the dependent claims are patentable for at least the same reasons given above for the independent claims.

In light of the above amendments and remarks, the Applicant respectfully requests that the Examiner reconsider this application with a view towards allowance.

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Respectfully submitted,

  
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